

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 17, 2001
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Larry Hudkins
Linda Steinman
Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, MAY 3, 2001

MOTION: Heier moved and Hudkins seconded approval of the Staff Meeting minutes of Thursday, May 10, 2001. Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Report on Lancaster Manor Foundation

MOTION: Steinman moved and Heier seconded approval of the addition to the agenda. Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

3 LEGISLATIVE UPDATE Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

O LB 366 (changes provisions relating to zoning by county boards and nonfarm buildings) was passed on Final Reading.

- O Nebraska Legislature also passed LB 692 (provides for funding of the Nebraska Lifespan Respite Services Program under the Nebraska Health Care Funding Act).

Dean Settle, Community Mental Health Center Director, appeared and said a planning session will be held on May 22nd to discuss how the monies will be divided among the Regions. Region V will hold a similar planning session on June 5th.

Campbell said the Board had requested that some type of strategy be developed with the Governor to address the situation at the Crisis Center (Lancaster County agreed to hold individuals for other counties in Region V that are committed through mental health hearings or classified as Emergency Protective Custody (EPC) at the Crisis Center. However, the State repeatedly refused to accept post-commitments, due to lack of space in the Regional Center, and these individuals were held in the Crisis Center longer than permitted by law. This resulted in several lawsuits which Lancaster County was forced to defend, regardless of where the commitment originated). She said LB 479 (changes provisions for the commitment of mentally incompetent persons to the Department of Health and Human Services) is not anticipated to be passed this year so discussion will be delayed until after the legislative session.

- O LB 640 (renames grants and provides for a county aid program under the Juvenile Services Act) is likely to be addressed before May 29th, the final day a bill may be advanced to Final Reading.
- O Nine amendments have been filed for LB 142 (authorizes creation of municipal counties). He said questions remain regarding retirement programs.

Eagan suggested that clarifying language be added to state that “the municipal county can provide any retirement system which is lawfully available to any of the units merging.”

Hudkins suggested that the Board ask the Lancaster County Senators to hold up the bill to allow for interim study.

Campbell said the bill is a work-in-progress and recommended that the Board remain neutral and “leave it in the Legislature’s hands”.

4 BOARD OF EQUALIZATION UPDATE - Bruce Medcalf, County Clerk;
Gwen Thorpe, Deputy County Clerk; Norm Agena, County Assessor

The Board set aside time for Board of Equalization hearings on the following dates:

July 16	8 a.m. to 11 a.m.
July 18	8 a.m. to 12 p.m.
July 19	8 a.m. to 12 p.m.
July 20	8 a.m. to 5 p.m.

July 24 8 a.m. to 12 p.m.
July 25 8 a.m. to 12 p.m.

The Board asked that final action on the property valuation protests be scheduled on July 24th, immediately following the County Board of Commissioners Meeting.

The Board also authorized the County Clerk's Office to proceed with purchasing a dehumidifier (estimated cost of \$200 - \$250) for the property valuation protest referee hearings that will be held at Southeast Community College.

5 COUNTY ATTORNEY/PUBLIC DEFENDER CASE MANAGEMENT SYSTEM - Gary Lacey, County Attorney; Dennis Keefe, Public Defender; Doug Thomas, Information Services Director; Dave Kroeker, Budget and Fiscal Officer

Campbell noted that \$90,000 has been built into next year's budget for the first phase of the project.

Doug Thomas, Information Services Director, noted that there have been savings in some areas of the current year's development budget.

Campbell said the Board needs to be prepared to finish the project and asked whether there is an estimate of the total project cost.

Thomas said no, but said the upfront costs typically equate to 20 percent of the project costs. He added that it will be easier to define costs after Phase I is completed.

Gary Lacey, County Attorney, suggested integrating the judiciary, particularly in the calendar area, and said the case management system could help the Court Administrator to coordinate the court docket.

Thomas said the Phase I will help to identify potential collaborations, such as the State Court Administrator and law enforcement.

Gwen Thorpe, Deputy County Clerk, said perhaps Julie Gabel (consultant for the County Clerk's records management system) could provide some assistance, as she has expertise in the area of information sharing.

Dennis Keefe, Public Defender, said he and Lacey plan to send a memorandum to their counterparts in Douglas and Sarpy County asking them to participate in the project and informing them that the County Board will be contacting their respective County Boards to see whether they would be willing to contribute financially to the project.

Board consensus to leave the \$90,000 in the budget.

6 INDIGENCY DEFENSE SCREENER UPDATE - Dennis Keefe, Public Defender

Dave Kroeker, Budget and Fiscal Officer, explained that Peggy Gentles, Judicial Administrator for Lancaster County Court, would like to proceed with hiring an assistant for the Indigency Defense Screener, at a rate of 15 hours per week. He noted that \$100,000 was budgeted in the Keno Fund for the three year Indigency Defense Screener Project and said funds will be depleted before the end of the third year if an assistant is hired.

Dennis Keefe, Public Defender, said adding an assistant will allow for expansion of the project to the District and Juvenile Courts.

Campbell said the Keno Fund provides the ability to extend a special project and said "you need to give it its best shot to survive."

Heier asked how many individuals have been required to pay for all, or a portion, of their legal counsel as the result of the project.

Keefe said Nebraska does not provide for partial contribution and suggested that it may be an issue that the County will want to address in the Legislature.

Heier asked "How do we know that the Indigency Screener is working?"

Keefe said the Indigency Defense Advisory Committee has discussed this issue and said, while immeasurable, the fact that the County is now screening for indigency is important. He said he and Gary Lacey, County Attorney, have determined that focusing in on two areas in the misdemeanor field will help to determine whether the project is making a difference.

Campbell remarked that project also provides the ability to treat everyone equitably in terms of appointment of legal counsel.

Steinman suggested that consideration be given to making the Indigency Defense Screener a regular budget item, rather than keeping it in the Keno Fund.

Campbell noted that an assurance was given to Nebraska Supreme Court Chief Justice John Hendry that this would serve as a pilot project and would be evaluated. She asked that the Indigency Defense Advisory Committee assist with evaluation of the project and the drafting of legislation. Campbell said the Board should also indicate to Chief Justice Hendry that enabling legislation is desired as a component of the project.

Eagan suggested that Voorhis/Robertson Justice Services, Inc., consultants for the Corrections Needs Assessment, also look at the project and see how it might dovetail with a pre-trial agency.

Campbell noted that the Indigency Defense Screener also fits in with the Court Administrator concept.

Hudkins suggested that an education session on the project be offered at a Nebraska Association of County Officials (NACO) convention.

7 PENDING AND POTENTIAL LITIGATION - Dave Johnson, Deputy County Attorney

MOTION: Steinman moved and Heier seconded to enter Executive Session at 9:31 a.m. for discussion of pending and potential litigation. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

MOTION: Steinman moved and Hudkins seconded to exit Executive Session at 10:05 a.m. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

8 BOARD OF CORRECTIONS - Mike Thurber, Corrections Director

Separate Minutes.

9 LABOR NEGOTIATIONS - Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager; Dave Johnson, Deputy County Attorney

MOTION: Workman moved and Heier seconded to enter Executive Session at 10:36 a.m. for discussion of labor negotiations. Heier, Workman, Hudkins, Steinman and Campbell voted aye. Motion carried.

MOTION: Steinman moved and Workman seconded to exit Executive Session at 11:13 a.m. Steinman, Workman, Hudkins, Heier and Campbell voted aye. Motion carried.

10 DIRECTOR JOB DESCRIPTIONS FOR THE COMMUNITY MENTAL HEALTH CENTER DIRECTOR, EMERGENCY MANAGEMENT DIRECTOR; BUDGET AND FISCAL OFFICER AND CHIEF ADMINISTRATIVE OFFICER

Item dropped from the agenda.

11 ASSESSMENT CENTER INFORMATION SYSTEM - Sheryl Schrepf, Families First & Foremost (F³) Grant Director; Gus Hitz, Assessment Center Director; Vince Mejer, Purchasing Agent; Kathy Smith, Assistant Purchasing Agent; Doug Thomas, Information Services Director

Sheryl Schrepf, Families First & Foremost (F³) Grant Director, said her agency has been working with Information Services and the Purchasing Department on a Management Information System (MIS) for the Assessment Center and would like to proceed with a Request for Proposals (RFP).

Kathy Smith, Assistant Purchasing Agent, said a draft RFP has been developed, but said further refinement is needed.

Heier asked whether the effort is being coordinated with the Lancaster County Juvenile Detention Center.

Gus Hitz, Assessment Center Director, said Tina Dingman, Intake and Records Coordinator for the Lancaster County Juvenile Detention Center, will serve on the RFP Selection Committee.

Heier suggested inclusion of a representative from the Lincoln Public Schools (LPS).

Workman also agreed to serve.

Heier asked whether this system would tie in to the County Attorney/Public Defender Case Management System.

Doug Thomas, Information Services Director, said there could be some sharing, but said a tie in with the Lancaster County Juvenile Detention Center is more likely.

12 CANONGATE ROAD IMPROVEMENTS - Don Thomas, County Engineer; Ron Melbye, Waverly Mayor; Doug Rix, Waverly City Clerk

Don Thomas, County Engineer, said the County offered Waverly the following options in April:

- Option 1 - County will pay the entire \$40,000 cost of the paving project (cost originally intended to be split equally with Waverly) if Waverly agrees to pay the cost of installing the 66" culvert under Canongate Road
- Option 2 - County will share equally in the cost of the paving project and in the cost of installing pipe at three locations

Thomas said Doug Rix, Waverly City Clerk, had responded that Waverly would like the County to split the cost of paving Canongate Road from Jamestown to Oldfield and to improve culverts at two locations. Waverly would then pay for two 54" culverts under Oldfield Road

Ron Melbye, Waverly Mayor, said HWS Consulting Group, Inc. has recommended placement of two 54" culverts under Oldfield Road, rather than a 66" culvert under Canongate Road. He added that Waverly's attorney has advised him that he lacks the authority to spend tax dollars outside of Waverly's city limits.

Campbell said the County lacks authority to use tax dollars for improvement of Canongate Road, because it is located within Waverly.

Eagan noted that Keno funds were targeted for the paving as the County Board considered it to be a community betterment project.

Hudkins suggested that Waverly pay for more of the paving and the County pay for the culverts.

Thomas said that would mean that "whatever is inside Waverly, Waverly does and whatever is outside Waverly, the County does."

Melbye indicated that this is agreeable .

Heier noted that this will result in a greater expense for Waverly.

Thomas estimated the County's costs at \$27,000 for the two culverts.

Doug Rix, Waverly City Clerk, estimated Waverly's costs at \$56,000 for the paving and the two 54" culverts under Oldfield Road.

Eagan suggested Waverly consider spending a portion of its Keno funds for the culverts.

Melbye indicated that he would prefer not to, for reasons of accountability.

Dave Johnson, Deputy County Attorney, said the County and City of Waverly can mutually agree to terminate the interlocal agreement.

Melbye said Waverly would like to retain the assistance of the County Engineer in putting bids together.

Thomas said the engineering work is complete for Canongate Road. He said the County can let the work, but Waverly will be responsible for awarding the bid and payment.

Melbye indicated that Waverly will take care of the culverts this year and will finish up Canongate Road next year.

13 ACTION ITEMS

- A. Microcomputer Request C#2001-150, \$1,728.48 from District Court Adult Probation Budget for Two (2) Laser Printers, Seven (7) Sound Cards, Speakers and One (1) Scanner

MOTION: Steinman moved and Hudkins seconded approval. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- B. Request from Kit Boesch, Human Services Administrator, to Submit a Grant Application to Substance Abuse and Mental Health Administration

Kit Boesch, Human Services Administrator, appeared and explained that the grant will provide funds to train a MultiSystemic Therapy (MST) team of therapists to work with juvenile offenders that have severe mental health problems (Exhibit B).

MOTION: Steinman moved and Heier seconded to authorize the Chair to sign the grant application and to direct that the grant document be placed on file in the County Clerk's Office. Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

- C. Authorize Don Thomas, County Engineer, to Apply for Additional \$1,000 Certificate from General Motors Truck Fuel Tank Class Action Settlement

MOTION: Steinman moved and Heier seconded approval. Workman, Heier, Hudkins, Steinman and Campbell voted aye. Motion carried.

14 CONSENT ITEMS

- A. Vacation Request from Kerry Eagan, Chief Administrative Officer, for June 14-19, 2001

MOTION: Steinman moved and Workman seconded approval. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

15 ADMINISTRATIVE OFFICER REPORT

- A. 2001 Hugh O'Brian Youth Foundation (HOBY) Community Leaders Luncheon, June 8, 2001

Board consensus to decline the invitation.

- B. Corrections Needs Assessment

See Item 8.

- C. Additional Appropriations

Dave Kroeker, Budget and Fiscal Officer, disseminated copies of *Lancaster County FY01 Projected Additional Appropriations* and *Lancaster County FY01 Requested Additional Appropriations* (Exhibit C).

MOTION: Steinman moved and Heier seconded to schedule a public hearing on May 29, 2001. Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

- D. Deputy Chief Administrative Officer

MOTION: Hudkins moved and Workman seconded to authorize Kerry Eagan, Chief Administrative Officer, and Georgia Glass, Personnel Director, to enter into negotiations with Patricia Lynaugh for the position of Deputy Chief Administrative Officer, with an initial salary offer of \$48,000.

Heier said he has changed his preference of candidate since the Board's discussion on Tuesday, May 15th.

The maker and seconder withdrew their motion.

MOTION: Steinman moved and Heier seconded to authorize Kerry Eagan, Chief Administrative Officer, and Georgia Glass, Personnel Director, to enter into negotiations with Gwen Thorpe for the position of Deputy Chief Administrative Officer, with an initial salary offer of \$52,500. Steinman, Heier and Campbell voted aye. Hudkins and Workman voted no. Motion carried.

Hudkins and Heier exited the meeting.

ADDITIONS TO THE AGENDA

A. Report on Lancaster Manor Foundation

No report was given.

16 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster County Fairgrounds Joint Public Agency - Heier, Workman

Workman said there is concern that Leon Meyer, Managing Director of the Event Center, is focusing most of his time on day-to-day activities, rather than promotions. He also noted the loss of a BMX bike event, due to insufficient seating.

B. Parks & Recreation Advisory Board - Campbell

Campbell reported that a piece of brick artwork was approved for the "F" Street Recreation Center, from a separate trust. She said reports were also given on the Centennial Mall and the Homestead Trail.

C. Joint Budget Committee - Campbell, Steinman

Steinman said an additional meeting will be held to discuss funding.

D. Board of Health - Hudkins

Item held.

E. General Assistance Monitoring Committee - Campbell, Steinman

Campbell reported that pharmacy and burial costs were discussed.

17 EMERGENCY ITEMS AND OTHER BUSINESS

The Board cancelled the Staff Meeting that was scheduled to follow the County Board of Commissioners Meeting on Tuesday, May 22nd. No Staff Meeting will be held on Thursday, May 24th.

18 ADJOURNMENT

MOTION: Steinman moved and Workman seconded to adjourn the meeting. Steinman, Workman and Campbell voted aye. Hudkins and Heier were absent from voting. Motion carried.

Bruce Medcalf
Lancaster County Clerk